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Name: Examiner G.E. Elkins, A/U 3727  
Organization: USPTO  
Fax: (703) 872-9306  
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From: Stephanie L. Goff for Gregory J. Nelson  
Date: October 21, 2004  
Subject: U.S. Patent Application SN ~~10435177~~ 10621563  
Applicants: Robert L. And Betty Wilson  
Titled: "Folding Luggage Rack for Motorcycles"  
Filed: July 16, 2003  
Pages: 3 (including coversheet)

10/621653 wrong no.  
10621563

Comments:

Dear Examiner Elkins:

Attached is the Response & Amendment regarding the above-referenced subject matter.

Very truly yours,  
NELSON & ROEDIGER  
Gregory J. Nelson

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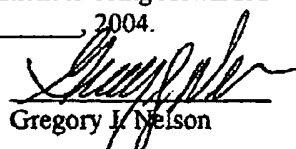
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Dated: 10/21/2004

  
Gregory J. Nelson

## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

Applicant: ROBERT L. and BETTY WILSON )

Serial No.: 10/621,563 )

Ex. G.E. ELKINS  
A/U 3727

Filing Date: July 16, 2003 )

Title: "Folding Luggage Rack for Motorcycles" )

## RESPONSE &amp; AMENDMENT

## MAIL STOP NON FEE AMENDMENT

Commissioner For Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated September 27, 2004. The Examiner has required restriction. Applicants provisionally elect the claims in Group 1, Claims 1 to 7 drawn to a rack. Applicants respectfully traverses the requirement as they believe material differences do not exist. The Examiner set forth an example that the rack of Claim 1 could be attached as an OEM item or as original equipment, as opposed to Claim

Application SN: 40/621,563 *wrong no.*  
Amendment Dated: October 21, 2004  
Reply to Office Action of: September 27, 2004


8 which requires a step of removing the existing sissy bar and that plates that mount it.

The differences are not believed to be material as the same rack structure is involved whether or not it is installed at the factory or as an OEM item. As an OEM item, the step of removing the sissy bar obviously would not have to be practiced but in other respects  
5 the procedure is the same and it is believed that efficiency and economy are in favor of retaining all of the claims of the present application. Again, the product, as claimed, whether installed as an OEM item or an after-market item, utilizes essentially the same installation process.

A favorable action is respectfully solicited.

10 Respectfully submitted,

Dated: 10/21/2004

  
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